

**Below is an Order of the Court.**

  
ELIZABETH PERRIS  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In re	)	Case No. 07-30593-elp7
	)	
	)	
David B. Lorenz,	)	ORDER REGARDING UNITED
	)	STATES TRUSTEE'S MOTION
Debtor.	)	TO DISMISS

This matter came before the court on June 25, 2007 for a preliminary hearing on the United States Trustee's Motion to Dismiss pursuant to 11 U.S.C. § 707(b)(3). The debtor appeared through attorney Bret Knewtson. The United States Trustee appeared through Assistant United States Trustee Pamela J. Griffith. Now, therefore, for the reasons announced at the time of the hearing,

IT IS HEREBY ORDERED that the debtor's objection to the United States

Trustee's Motion to Dismiss based on the United States Trustee's alleged failure to comply with 11 U.S.C. § 704(b) is overruled.

IT IS FURTHER ORDERED that the court will consider the ability to pay creditors under 11 U.S.C. § 707(b)(3) notwithstanding that the debtor's case is not a presumed abuse pursuant to 11 U.S.C. § 707(b)(2).

IT IS FURTHER ORDERED that the debtor's secured debts will be considered in making the determination as to whether the debtor's debts are primarily consumer debts pursuant to 11 U.S.C. § 707(b).

# # #

Presented by:

ILENE J. LASHINSKY  
United States Trustee

/s/ Pamela J. Griffith  
PAMELA J. GRIFFITH, OSB #81249  
Assistant United States Trustee

Copies of signed and docketed order will be transmitted electronically to:

- \* MARK B COMSTOCK    mcomstock@garrettlaw.com
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 27, 2007, I served a copy of the foregoing proposed ORDER REGARDING UNITED STATES TRUSTEE'S MOTION TO DISMISS by mailing a copy of this document, by United States first class mail, postage prepaid, and addressed to the following:

BRET A. KNEWTSON  
3000 NW Stucki PL STE 230-M  
Hillsboro, OR 97124

ILENE J. LASHINSKY  
United States Trustee

~~/s/ Pamela J. Griffith~~  
~~PAMELA J. GRIFFITH, OSB #81249~~  
Assistant United States Trustee